

ASSEMBLY BILL

No. 1574

Introduced by Assembly Member Houston

February 23, 2007

An act to add Section 6157.8 to the Business and Professions Code, relating to attorneys.

LEGISLATIVE COUNSEL'S DIGEST

AB 1574, as introduced, Houston. Attorney advertising: residential construction defects.

Existing law, the State Bar Act, provides for the regulation of attorneys, including the means by which they solicit employment of their legal services. Existing law authorizes the State Bar of California to discipline an attorney for a violation of these provisions. Existing law requires certain disclosures to be made upon the transfer of residential property and prescribes the manner and form of those disclosures.

This bill would require any written communication by a member of the State Bar, as defined, to a specific homeowner, group, or homeowners' association that urges the retaining of that member in connection with a potential claim for residential construction defects to contain a notification of disclosure requirements with regard to construction defects or related litigation applicable to a homeowner upon the transfer of ownership of a residential property.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6157.8 is added to the Business and
2 Professions Code, to read:
3 6157.8. Any written communication by a member that is
4 directed or distributed to a specific homeowner, group of
5 homeowners, or homeowners' association and that urges the
6 homeowner, group, or association to retain that member in
7 connection with a potential claim for residential construction
8 defects, shall notify the homeowner, group, or association of the
9 disclosure requirements with regard to construction defects or
10 related litigation applicable to a homeowner upon transfer of
11 ownership of a residential property.

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